

12/13/01
JC685



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. D5946D

Anticipated Classification of this application:

Class: 435 Subclass:

Prior application: Examiner: Gitomer, R.

Art unit: 1623

J1046 U.S. Pro
12/13/01

The Honorable Commissioner of Patents
U.S. Patent and Trademark Office
P.O. Box 2327
BOX PATENT APPLICATION
Arlington, VA 22202

Sir:

This is a request for filing a divisional application under 37 CFR 1.53(b), of pending prior application Serial No. 08/922,279 filed on September 3, 1997 entitled **Assessment of Intracellular Cysteine and Glutathione Concentrations**.

1. Enclosed is a complete copy of the prior application, including the declaration as originally filed.
2. Small entity status under 37 CFR 1.9 and 1.27(d) was established in the prior application and such status is still proper and desired (37 CFR 1.28(a)).
3. The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW PLUS CLAIMS ADDED BY PRELIMINARY AMENDMENT

<u>For:</u>	<u>No. filed</u>	<u>No. extra</u>
Basic Fee		
Total claims*	20 = <u>10</u>	<u>0</u>
Indep. claims*	3 = <u>3</u>	<u>0</u>

0 Multiple Dependent Claim Presented

<u>Fees for Small Entity</u>		<u>or</u>	<u>Fees for other than a small entity</u>	
<u>Rate</u>	<u>Fee</u>		<u>Rate</u>	<u>Fee</u>
	\$370.00	or		\$
— x \$42 = \$		or	— x \$ = \$	
— x \$ 9 = \$		or	— x \$ = \$	
+ \$ = \$		or	\$ = \$	
TOTAL	\$370.00	or	TOTAL	\$

4. a. — A check in the amount of \$ _____ is enclosed.

The PTO did not receive the following
listed item(s) Return Post Card

b. The Commissioner is hereby authorized to charge the \$370 filing fee or any additional fees required, or credit any overpayment to Deposit Account No. 07-1185.

5. Cancel in this application original claims 1-5, 8 and 10 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

6. Amend the specification by inserting on page 1, before the first line, the sentence: -- This is a divisional application of U.S.S.N. 08/922,279 filed on September 3, 1997.¹ *now abandoned*

7. — Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by § 1.138 and before payment of issue fee.)

8. There are no drawings enclosed.

9. — Priority of application serial no. filed on in __, is claimed under 35 U.S.C. 119.

— The certified copy of the priority application has been filed in prior application serial no.

10. a. With respect to the prior copending U.S. application from which this application claims benefit under 35 U.S.C. §120, the inventor(s) in this application are:

the same

b. The inventorship for all the claims in the application is:

the same

— not the same, and an explanation, including the ownership of various claims at the time the last claimed invention was made, is submitted.

11. The prior application is assigned of record to Research Development Foundation (Reel 8483; Frame 0362).

12. The power of attorney in the prior application includes Benjamin Aaron Adler, Ph.D., Registration No. 35,423.

a. The power appears in the original papers in the prior application in the form of a Combined Declaration and Power of Attorney (copy enclosed).

b. Since the power does not appear in the original papers, a copy of the Power in the prior application is enclosed.

c. Address all future communications to:

Benjamin Aaron Adler, Ph.D., J.D.
Adler & Associates
8011 Candle Lane
Houston, Texas 77071

13. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in prior application.)

a. A Supplemental Oath [1.67(b)(1)] for new claims is enclosed.

14. The sequence listing is enclosed, including a paper copy, a copy on disk for the computer readable form and a compliance letter indicating that the sequence listing on the paper copy and the disk are one and the same.

15. I hereby verify that the attached papers are a true copy of prior application Serial No. 08/922,279 filed on September 3, 1997, that no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dec 5, 2001
Date



Benjamin Aaron Adler, Ph.D., J.D.
Registration No. 35,423
Attorney for Applicant

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CERTIFICATE OF MAILING UNDER 37 CFR 1.10
as governed by 37 CFR 1.6(e)

I hereby certify that this divisional transmittal and the documents referred to as attached therein are being deposited with the United States Postal Service as First Class Mail under 37 CFR 1.6(e) in an envelope addressed to: The Honorable Commissioner of Patents, U.S. Patent and Trademark Office, P.O. Box 2327, BOX PATENT APPLICATION, Arlington, VA 22202 as though deposited using the Express Mail "Post Office to Addressee" on the date indicated below.

Please return the enclosed postcard acknowledging receipt of this correspondence.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Benjamin Aaron Adler".

Benjamin Aaron Adler, Ph.D., J.D.
Registration No. 35,423

DATE: Dec 5, 2001
Adler & Associates
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